

THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

MARIA TARA SUTHERLAND,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 1:08-cv-01218-WTL-TAB
	)	
WAL-MART STORES INC. and	)	
ARTURO AGUAS,	)	
	)	
Defendants.	)	

**DOCKETING STATEMENT**

Plaintiff-Appellant Maria Tara Sutherland, by counsel of record, Kathleen M. Sweeney, in the above-captioned appeal and pursuant to Circuit Rule 3, files this docketing statement.

**Statement of District Court's Jurisdiction**

On September 10, 2008, Plaintiff filed a Complaint for Damages in the Southern District Court of Indiana, Indianapolis Division, Cause Number 1:08-cv-01218-WTL-TAB. In her Complaint, Plaintiff presents claims alleging Defendant Wal-Mart violated her civil rights on the basis of sex pursuant to Title VII of the Civil Rights Act, as amended, 42 U.S.C. § 2000e *et seq* . These violations include termination, retaliation and hostile work environment.

The District Court had jurisdiction of this case pursuant to has jurisdiction over the subject matter of this case pursuant to 42 U.S.C. § 2000e-(5), 28 U.S.C. § 1331, and 28 U.S.C. § 1343.

The Plaintiff also brought Indiana state law claims arising from the same factual incidents. The District Court had jurisdiction over these claims pursuant to 28 U.S.C. § 1367.

**Statement of Appellate Jurisdiction**

On September 29, 2009, Defendant filed its motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. On April 16, 2010, the District Court granted the motion in its entirety and closed the case. The Plaintiff is appealing the district court's granting of the summary judgment.

This Court therefore has jurisdiction over this matter under Fed. R. App. P. 3 and 28 U.S.C. § 1291, which provide for jurisdiction over a final judgment from a U.S. District Court.

**Filing Date of Notice of Appeal**

Plaintiff's Notice of Appeal was filed on May 17, 2010.

**Prior or Related Appellate Proceedings in this Case.**

There are no prior or related appellate proceedings in this case.

Respectfully submitted,

By: /s/ Kathleen M. Sweeney  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 17, 2010, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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Respectfully submitted,

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